



Eric Gonzalez
District Attorney

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: David Small

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION AGAINST THE MOS ARISING OUT OF AN INCIDENT ON 03/30/2004:

ALLEGATION:

1. FAILURE TO SAFEGUARD DEPARTMENT PROPERTY
- CASE STATUS: CLOSED ON 06/10/2004

Disclosure # 2:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS AGAINST THE MOS ARISING OUT OF AN INCIDENT ON 06/05/2015 AT APPROXIMATELY 1345 HOURS IN KINGS COUNTY, WHILE THE MOS WAS ASSIGNED TO THE 79TH PRECINCT AND ON DUTY:

ALLEGATION:

1. MOS SMALL DID ABUSE HIS AUTHORITY AS A MEMBER OF THE SERVICE IN THAT HE STOPPED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY TO DO SO.
2. MOS SMALL DID ABUSE HIS AUTHORITY AS A MEMBER OF THE SERVICE IN THAT HE FRISKED SAID INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY TO DO SO.
3. MOS SMALL DID ABUSE HIS AUTHORITY AS A MEMBER OF THE SERVICE IN THAT HE SEARCHED SAID INDIVIDUAL KNOWN TO THE DEPARTMENT S WITHOUT SUFFICIENT LEGAL AUTHORITY TO DO SO.

CASE STATUS: CLOSED ON 09/14/2017

PENALTY: SCHEDULE A COMMAND DISCIPLINE, FORFEITURE OF FOUR HOURS

Disclosure # 3:

The People are aware of the following federal civil rights action(s) and/or state tort civil lawsuit(s) in which the indicated officer has been named as an individual defendant. Note, the disposition information may not be current:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
S. Sharpe Sulaymu-Bey et al	17-CV-3563	E.D.N.Y.	6-9-17		<i>Pending,</i> defendants' motion for summary judgment having been granted in part and denied in part.
Nykia Hines	14-CV-5955	E.D.N.Y.	10-10-14	5-1-15	Settlement, without admission of fault or liability

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 4:

CCRB CASE: 201504713

REPORT DATE: 6/08/2015

INCIDENT DATE: 6/05/2015

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE – FRISK
2. ABUSE – SEARCH OF PERSON
3. ABUSE – STOP

NYPD Disposition: COMMAN DISCIPLINE – A

OTHER MISCONDUCT NOTED:

1. FAILURE TO PRODUCE STOP AND FRISK REPORT

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